

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Nutrisoya Foods Inc.,
a Canadian Corporation,

Plaintiff,

v.

ORDER

Civil No. 08-25 ADM/AJB

Sunrich, LLC, doing business as
Sunrich Foods, Inc.,
a Minnesota limited liability company,

Defendant.

Donald S. Arbour, Esq., Arbour Law Firm, Minneapolis, MN, argued on behalf of Plaintiff.

Eric A. Bartsch, Esq., Stoel Rives LLP, Minneapolis, MN, argued on behalf of Defendant.

For the reasons stated at oral argument this morning, Defendant Sunrich, LLC's ("Sunrich") Motion to Dismiss [Docket No. 2] is **GRANTED** regarding Count Two of Plaintiff Nutrisoya Foods Inc.'s ("Nutrisoya") Complaint [Docket No. 1], and Count Two is **DISMISSED WITHOUT PREJUDICE**. Sunrich's request to strike the portion of Nutrisoya's Complaint that seeks attorney fees and costs is **DENIED**.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: March 14, 2008.